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C O N F I D E N T I A L SECTION 01 OF 02 ACCRA 001382

SIPDIS

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TAGS: [PGOV](#) [PHUM](#) [PINR](#) [GH](#)

SUBJECT: THREE MURDERED JUDGES HONORED; OPPOSITION STAYS AWAY

REF: ACCRA 1311

Classified By: Polchief Richard Kaminski, reason 1.5 (B/D).

Summary

1. (SBU) On June 28, the Ghanaian Government honored the memory of three judges murdered in 1982, in the turbulent early years of former President Rawlings' PNDC military government. President Kufuor unveiled busts of the three executed jurists before a solemn audience of Ghana's social and political elite -- minus his political opposition. Simultaneously, the National Reconciliation Commission took additional hearsay testimony that Rawlings and his close advisors ordered the killings. While Commission proceedings have been scrupulously non-partisan, and the unveiling ceremony made no mention of the politics of the day, the political overtones in an election year were unavoidable. Meanwhile, opposition politicians quietly discussed the December elections with security personnel.

Murdered Judges Busts Unveiled

2. (U) President Kufuor, Chief Justice Acquah, and Speaker of Parliament Adjetei unveiled bronze busts of the three murdered judges before a large crowd seated on the lawn of Ghana's Supreme Court Building. Speaker after speaker extolled the courage of the judges (who struck down edicts of the then-military government), and recalled the repressive atmosphere of the period (while avoiding any mention of who actually ruled Ghana in 1982 -- Jerry Rawlings and his PNDC government). Although scattered among the hundreds of lawyers, government officials, and social and political notables attending the crowd were supporters of the NDC and other parties, no "official" members of the principal opposition attended -- no DNC members of parliament, or former ministers, or NDC party officers.

NRC Takes Hearsay Testimony That Rawlings Knew All

3. (U) For the previous several weeks, the National Reconciliation Commission has renewed its examination of the murder of the three judges, recalling former National Security Advisor Kojo Tsikata, and a number of others, to offer additional testimony on the gruesome events of 1982 (the three judges were abducted late at night by unknown persons, executed, and partially incinerated -- an official of the PDNC government and several others were later tried, convicted, and executed by the PNDC government itself for the murders). On the day of the ceremony honoring the judges, a witness offered hearsay testimony, previously heard from other hearsay sources, that Rawlings and Tsikata had "master-minded" the killings (Rawlings and Tsikata have stoutly maintained their innocence on many occasions). While simultaneous to the unveiling ceremony, the timing of the testimony appears to have been coincidental.

NDC and Security Forces Continue Informal Discussions

4. (C) Against the backdrop of these two dramatic public events recalling past security force abuses, Former Vice President Atta Mills, the NDC candidate for president, and other NDC officials, met informally with senior security personnel to discuss election security and other topics. Deputy Inspector General of Police Patrick Acheampong told polchief June 24 that the a 2-hour meeting with police commanders in Accra went "very well," and Mills was very appreciative of the opportunity to talk at length on the upcoming elections. Mills also told the police commanders that he regarded Rawlings as a burden, needing to use him in the campaign due to Rawlings continuing personal popularity with NDC supporters, but having to manage Rawlings' propensity to shoot from the hip and make outrageous statements.

5. (C) Other NDC officials are also reaching out. A Muslim NDC parliamentary candidate told polchief June 28 that he had just met with National Security Advisor Francis Poku, an old friend, and had reassured Poku that "mainstream" NDC candidates and activists wanted a peaceful election season. Poku, he said, gave a measured response, pledging security force neutrality, but noting that security forces would be ready for trouble "if they needed to be." (Note: this qualified pledge mirrors Atta Mills' statement to Ambassador

Yates on June 22 that he meant to be the candidate of peace, but only if "everyone" was peaceful. Reftel.)

Comment

16. (C) In honoring the murdered judges, the Kufuor government underlines its own commitment to the rule of law and ordered government, while reminding everyone (without having to spell it out) that Rawlings and his minions were in charge when the killings happened. While no definitive answer exists on Rawlings' personal involvement, testimony before the National Reconciliation Commission deepens the distinction the present government wishes the public to draw between legitimate and illegitimate governments.

17. (C) The informal NDC boycott of the commemorative ceremony reinforces the perception that the principal opposition party, as a successor to the PNDC military junta, cannot yet break with its anti-democratic past. Mills is making some efforts to establish himself as a candidate independent of Rawlings, and his reaching out to security forces is a positive development. Each side, government and opposition, remains suspicious of the other's electoral season intentions, but reason and restraint so far prevail. End summary.

Yates